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Minutes

BBRS Building Code Appeals Board (BCAB)

Meeting Location: Taunton District Office, 1380 Bay Street, Taunton, MA

Meeting Date: October 21, 2014

Meeting Time: 9:30 a.m.

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1. Meeting called to order by the Chairman, Harry Smith, at 9:30 a.m. followed by roll call:

Board Members Present:

Sandy MacLeod

Harry Smith, Chairman

Jake Nunnemacher

Board Members Not Present:

None

There were seven (7) cases on the docket scheduled each 30 minute period, beginning at 9:30 a.m. and running until approximately 12:05 p.m. The three board members identified above served each case; guests varied with each case. A copy of the sign-in sheet for each case is appended to these minutes to identify attendees.

Guests Present:

See sign-in sheet for each case.

2. October 2, 2014 meeting minutes approved.
3.

Case Number:	14-1428
Appellant:	Walter Chamberlain for Walter Chamberlain Revocable Trust
Address of Property:	549-551 Boylston Street, Unit #201, Boston, MA. 02116
Summary of Case:	This appeal concerned a "Failure to Act".

On a **MOTION** Sandy MacLeod and **SECONDED** by Harry Smith, it was a **TWO TO ONE** vote, Jake Nunnemacher was opposed that we **DENY** the appeal because the variance is a mute point. There is an existing easement that trumps the building code as well as an existing means of egress.

4. **Case Number:** 14-1398
Appellant: Carlos Aispuro
Address of Property: 125 Leyden Street, Apt. 1, East Boston, MA. 02128
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section 1009, 1026.5, 1026.6, 1027.3, 1029, 1208 & 780 CMR 705. 903.2 & IMC (*International Mechanic Code*). This case was a continuation from an earlier appeal that was held on July 10, 2014 and continued at the time.

On a **MOTION** by Jake Nunnemacher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted to **DISMISS** without prejudice because nobody appeared at the hearing.

Case Number: 14-1429
Appellant: Jo Ann Bentley for Bristol Community College
Address of Property: 59 Summer Street, Taunton, MA. 02780
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) IBC (*International Building Code*) Section 903.2 and IEBC (*International Existing Building Code*) Section 912.2. The appellant is seeking a relief from the requirement of installing a sprinkler system in areas of the building where they are changing the occupancy use.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Harry Smith, it was a **TWO TO ONE** vote, Jake Nunnemacher was opposed to **GRANT** a variance to update the fire alarm system and sprinkler system & to postpone until June of 2015 and at that time a full sprinkler system and alarm system must be installed.

5. **Case Number:** 14-1430
Appellant: Douglas Stefanov for Platt Development
Address of Property: 37 Gates Street, South Boston, MA. 02127
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section 707.3.9 & Section 1208.2. The appellant is looking for relief from the minimum height requirement of 7ft 6 inches.

List of Exhibits:

Exhibit 1. Application dated August 26, 2014

Exhibit 2. 6 pages of photos and site plan for Gates Street

On a **MOTION** by Jake Nunnemacher and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted to **GRANT** a variance to 780 CMR 1208.2 the appellant has testified that this is an existing building and because of the floor being sloped he will be out of compliance by 2 inches. The hardship for him to fix this will be tremendous. Originally the appellant was requesting relief also from Section 707.3.9 however he has testified that he will take care of this and this no longer is a subject if his appeal.

6. **Case Number:** 14-1431
Appellant: Douglas Anderson for Project Architect BH +A
Address of Property: 15-33 Richdale Street. Cambridge, MA.
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section 705.8. The building commissioner has cited them for a number of new windows in the rear face of the building that are in violation of the above code section based on fire separation distance.

List of Exhibits:

- Exhibit 1.** Application dated September 17, 2014.
Exhibit 2. 1 page drawing labeled C1.0
Exhibit 3. 1 page letter dated October 20, 2014 from Michael Grover, Building Commissioner stating no opposition.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Jake Nunnemacher, it was **UNANIMOUSLY voted to GRANT a variance to 780 CMR 705.8** to allow windows on the north elevation abutting the railroad tracks and because the building department has no objection.

7. **Case Number:** 14-1432
Appellant: Rockwood Edwards for the Hanover Company
Address of Property: 160 Cambridge Park Drive, Cambridge, MA. 02140
Summary of Case: The appeal concerned IBC 2009 (*International Building Code*) Section 602.3. The building was cited because of the intent to install mahogany sheathing on the exterior of the building (at the porte-cochere between courtyards). The above code section states the NO combustible material is allowed on the exterior of a Construction Type III building.

List of Exhibits:

- Exhibit 1.** Application dated September 23, 2014.
Exhibit 2. 1 page letter dated October 20, 2014 from Michael Grover, Building Commissioner stating no opposition.
Exhibit 3. Photos of the structure (3 pages).

On a **MOTION** by Sandy MacLeod and **SECONDED** by Jake Nunnemacher, it was **UNANIMOUSLY voted to GRANT a variance** because there is an archway that is 30 feet long and it's got mahogany wood over it and it's sprinkle red.

8. **Case Number:** 14-1433
Appellant: Sarah Lawson for Tony Dowers
Address of Property: 85 Fairview Avenue, Belmont, MA. 02478
Summary of Case: The appeal concerned IRC (*The International Residential Code, Eighth Edition*) Section R311.7.9. The appellant is seeking a variance to allow the spiral staircase to remain.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Jake Nunnemacher, it was **UNANIMOUSLY voted to GRANT a variance to IRC 8th Edition, Section R311.7.9.1** for this spiral staircase that is 18 inches in its radius and that it's only for access to the mechanical room.

8. The meeting adjourned at 12:05 p.m.